

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 16, 1937.

The meeting was called to order at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen G. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The reading of the Minutes was dispensed with.

Mr. J. G. Wukasch appeared before the Council relative to his application for a wine and beer permit at 2270 Guadalupe Street. The matter was referred to the City Manager for investigation; as was also the wine and beer permits issued to Fred Serur at 2348 Guadalupe Street and W. W. Johnson, 2315 Dam Boulevard.

Councilman Alford offered the following resolution:

WHEREAS, Schwarzer and Barron, Inc., is the Contractor for the construction of a building located at 120 West 8th Street and desires a portion of the sidewalk and street space abutting Lots 9, 10, 11, and 12, Block 98, of the Original City of Austin, Texas, during the construction of said building, such space to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to the said Schwarzer and Barron, Inc., the boundary of which is described as follows:

Sidewalk and Street Working Space

1. Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Colorado Street to a point 5 feet west of the east curb line of Colorado Street; thence in a southerly direction and parallel to the centerline of Colorado Street for a distance of 184 feet; thence in an easterly direction and at right angles to the centerline of Colorado Street to the southwest corner of the above described property; thence in a northerly direction along the west side of the above described property to the place of the beginning.

2. Beginning at the southwest corner of the above described property; thence in a southerly direction and at right angles to the centerline of West 8th Street to a point 5 feet south of the north curb line of West 8th Street; thence in an easterly direction and parallel to the centerline of West 8th Street for a distance of 100 feet; thence in a northerly direction and at right angles to the centerline of West 8th Street to the south line of the above described property; thence in a westerly direction and along the south line of the said property to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to the said Schwarzer and Barron, Inc., hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundary of the above described working space in Colorado Street and West 8th Street, such walkways to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored and with a substantial floor without wood strips or obstructions of any kind along the pavement within the walkways.

(2) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the working space allotted.

(3) That the Contractor shall be allowed to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner intersection.

(4) That "NO PARKING" signs shall be placed on the street side of the barricades.

(5) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(6) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor shall be responsible for any damage done due to obstruction of any such storm waters.

(7) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(8) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 1, 1938.

(9) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(10) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(11) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building project, whether done by Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(12) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in WEST SECOND STREET westerly 90 feet from a point 124 feet east of the east line of Lavaca Street, the centerline of which gas main shall be 2½ feet north of and parallel to the south line of said West 2nd Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in EAST TENTH STREET easterly 221 feet from a point 32 feet west of the west line of Lincoln Street, the centerline of which gas main shall be 7 feet north of and parallel to the south line of said

West 10th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(3) A gas main in EAST EIGHTEENTH STREET from Chicon Street easterly 143 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 18th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(4) A gas main in CHICON STREET East 18th Street southerly 110 feet, the centerline of which gas main shall be 19 feet east of and parallel to the centerline of said Chicon Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(5) A gas main in EAST THIRTY-EIGHTH AND ONE-HALF STREET easterly 128 feet from a point 129 feet east of the east line of Red River Street, the centerline of which gas main shall be 17 feet south of and parallel to the north line of said East 38½ Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(6) A gas main in RAMONA STREET from Bouldin Avenue westerly 288 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Ramona Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(7) A gas main in EAST FORTY-FOURTH STREET from Caswell Avenue westerly 372 feet, the centerline of which gas main shall be 15 feet south of and parallel to the north line of said East 44th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(8) A gas main in WEST THIRTY-FOURTH STREET from Guadalupe Street to Fruth Street, the centerline of which gas main shall be 19 feet south of and parallel to the north line of said West 34th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(9) A gas main in ALAMEDA DRIVE northerly 100 feet from a point 200 feet north of the north line of Milam Place, the centerline of which gas main shall be 20 feet east of and parallel to the west line of said Alameda Drive.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford,

Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

It was moved by Councilman Wolf that the City Manager be authorized to enter into a lease with the Federal Government for the leasing of sixty-five square feet of floor space in the southeast corner of the Austin Municipal Airport Administration Building for the installation of a teletype machine. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The petition of residents and property owners of Govalle asking that the name of Govalle School Road be changed was received and the matter was referred to the City Engineer for recommendation.

Councilman Alford offered the following resolution:

WHEREAS, the Southwestern Bell Telephone Company is desirous of abandoning certain underground conduits hereinafter described because of improvements which render said conduits useless to the Company; and

WHEREAS, said underground conduits are situated near the City Hall and may be useful to the City of Austin for electric lines connecting with the City Hall; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be, and it is hereby granted permission to abandon the following described underground conduit system in the public streets of the City of Austin:

Three manholes and 496 feet of underground conduit on Colorado Street between West 7th and West 8th Streets;

Two manholes and 340 feet of underground conduit on West 8th between Colorado and Lavaca Streets;

One manhole and 185 feet of underground conduit on Brazos Street between East 5th and East 6th Streets, all as indicated on the attached blue print and all lying within the City of Austin, Travis County, Texas.

BE IT FURTHER RESOLVED:

THAT the City of Austin assume the ownership and reserve the right to use any and all of the above conduit system as the City may deem necessary, and the Southwestern Bell Telephone Company is hereby relieved of all responsibility and liability of the above described underground conduit system in the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

In accordance with published notice thereof, the public hearing called for this day on the proposal of the City Council to amend the Zoning Ordinance in the following particulars was opened:

To amend the "USE" designation of the property fronting on East 14th Street, Sabine Street, and East 15th Street, adjacent to the City Hospital so as to change same from "B" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT, said property being more particularly described as follows: The west 10 feet of Lot 6; all of Lots 7 and 8, Block 166; Lots 5 and 6, Block 165; Original Lots 3, 4, 5, and 6, Block 167; Lots 4, 5, and 6, Block 67; and Original Lots 4 and 5 and (B) of 6, Block 68; all of said property being located in the Original City of Austin, Travis County, Texas.

To amend the "USE" designation of the following described property so as to change same from "A" Residence District to "C" Commercial District: the southwest one-half of the east one-half of Outlot 26, Division "O" located at the northwest corner of the intersection of East 1st Street and Ferdenales Street; and all of the property between Canadian and Llano Streets, East 1st Street and the Industrial District to the north.

A petition signed by Mrs. M. L. Braswell, et al, residents and property owners

on East First Street and vicinity, protesting the proposed change in zoning of the property on East First Street and adjacent thereto, as stipulated in the hearing of this date, was received.

S. R. Fulmore, Agent for E. F. Collins, proponent of the proposed change, plead for same on the ground that the property in question was suitable for commercial purposes only.

After considerable discussion, the matter was taken under advisement.

There being no protests against the proposed change in zoning of the property fronting on East 14th Street, Sabine Street, and East 15th Street, adjacent to the City Hospital, it was moved by Councilman Alford, seconded by Councilman Gillis, that the change be made and the City Attorney be instructed to prepare the proper ordinance. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

John T. Hewlitt, Agent, petitioned the Council for a remission of the delinquent taxes on the property of the First Church of God in Christ at 13th and Sabine Streets, and the placing of said property on the exemption rolls in the future. It was the sense of the meeting that, as said property was still under contract of sale and not actually owned by said church, the request be not granted.

It was moved by Mayor Miller that J. E. Haire be granted two additional taxicabs, conditioned upon the payment by the said J. E. Haire of all delinquent taxes owing on his automobiles. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

It was moved by Councilman Gillis that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: Samuel Arthur Sims, 2402 West 8th Street; Alge Callahan Spinks, 2107 Riverview Street; and Walter H. Stark, 1713 South 5th Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The following reports of the Board of Equalization were received:

"Austin, Texas  
December 11, 1937

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Sir:

Following your instructions, we have this day made an inspection of the house damaged by falling aircraft December 7, 1937, at 1204 West 22nd Street.

We find that the house at 1204 West 22nd Street, owned by Jas. McConnachie, valued at approximately \$2,850, is a total wreck, and entitled to 100% damages.

Yours very truly,

BOARD OF EQUALIZATION

By K. R. Meyer, Chairman

John B. Pearson, Member

J. B. Webb, Member "

"Austin, Texas  
December 11, 1937

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Sir:

Following your instructions, we have this day made an inspection of the house damaged by falling aircraft December 7, 1937, at 1202 W. 22nd Street.

We find that the house at 1202 W. 22nd Street, owned by J. W. Calhoun, valued at approximately \$1,190, was damaged to the extent of 70%, making the present value approximately \$355.

Yours very truly,

BOARD OF EQUALIZATION

By K. R. Meyer, Chairman

John B. Pearson, Member

Jack Webb, Member. "

The following resolution was introduced:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for various work under PWA Docket Texas-1854 was duly advertised to be received by the City Manager and publicly opened at 9 A. M., Thursday, November 18, 1937, at the City Hall in Austin, Texas; and

WHEREAS, at the same time and place said bids were publicly opened and read as specified; and

WHEREAS, after a thorough analysis of all of the bids submitted and the character and quality of each of the items proposed to be furnished by the various bidders, it is found that the lowest and best bids as shown on the detailed schedules attached are as follows:

Jno. D. Dahlich -	\$ 3,718.50
The Steck Co.	3,011.92
Von Boeckmann-Jones Co.	1,793.87
Miller Blue Print Co.	1,588.16
J. H. Hixson	568.00
Swann-Schulle Furniture Co. -	<u>319.45</u>
Total -	\$10,999.90

and that said bids were regular and proper in all particulars; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT the bids of Jno. D. Dahlich in the amount of \$3,718.50, The Steck Co. in the amount of \$3,011.92, Von Boeckmann-Jones Co. in the amount of \$1,793.87, Miller Blue Print Co. in the amount of \$1,588.16, J. H. Hixson in the amount of \$568.00, and Swann-Schulle Furniture Co. in the amount of \$319.45 for the furnishing of furniture and equipment for the Municipal Building be and the same are hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager on behalf of the City of Austin is hereby authorized and instructed to enter into contracts with said firms for the respective amounts indicated, subject to the approval of the Federal Emergency Administration of Public Works.